

Attorney General's Office
Criminal Law Work – Area Prosecutions and Criminal Appeals
February 23, 2010

Area Prosecutions Division

1. Function. The primary mission of the Area Prosecutions Division is to supplement local resources in the prosecution of major criminal offenses throughout the state. Prosecutors in this Division assist local county attorneys in difficult, technical, or high-profile felony criminal cases that strain the resources of a local prosecutor's office. The Division also frequently handles felony cases in which a conflict of interest or the appearance of a conflict precludes the county attorney from acting.

A large share of the Division's case load involves murder and sex abuse. The Division also handles the following types of cases: 1) violence against women cases; 2) environmental crimes; 3) crimes occurring in penal institutions; 4) tax violations including personal income tax, corporate income tax, sales tax, and motor fuel tax; 5) Medicaid fraud; 6) criminal securities fraud, money laundering and other financial crimes; 7) judicial ethics and conduct; and 8) sexual violent predator (SVP) commitments.

Members of the Division investigate and prosecute most of the serious, felony level public official misconduct and corruption allegations raised throughout the state.

2. Personnel. The Division has 12 attorneys, 1 investigator, 1 paralegal, 1 victim-witness coordinator, and 1 secretary. This is 1.5 attorney FTEs less than at the beginning of FY10 and, due to early retirements, the number of attorneys will be reduced to 10 by the end of FY10. (There are also 3 attorneys who are technically in the Division, but are funded by the federal government and are assigned to work with US Attorney offices on High Intensity Drug Trafficking cases.)

3. Budget. Below is budget information for the Area Prosecutions Division:

	FY2007	FY2008	FY2009	FY2010	FY2011
Total Budget	2,138,982	2,372,561	2,429,707	2,292,887	2,350,812

4. Caseload. Below is caseload information for the Area Prosecutions Division (these numbers do not include civil sexually violent predator –SVP- prosecutions):

**Area Prosecutions Division – Cases Referred by All Counties
YEARS 2005-2009**

	2005	2006	2007	2008	2009	TOTAL 2005-2009
Total of All Cases	148	155	156	161	167	787
Homicide Only:	18	21	21	26	28	114

**Area Prosecutions Division – Cases Referred by Iowa’s Five Largest Counties
YEARS 2005-2009 (COMBINED)**

	2005-2009
Black Hawk	15
Linn	20
Polk	47
Scott	9
Woodbury	8
TOTAL	99

Criminal Appeals Division

1. Function. The Criminal Appeals Division represents the State of Iowa in all direct appeals from criminal convictions, all appeals from postconviction relief actions, and all federal habeas challenges to Iowa convictions. County attorneys generally prosecute criminal cases in the district court. After they obtain a conviction either by plea or trial, the appeals division works to keep the conviction in place by arguing the State’s position before the Iowa Court of Appeals, Iowa Supreme Court, federal district courts, the Eighth Circuit Court of Appeals, and even the United States Supreme Court, if need be.

2. Personnel. The division has 14 attorneys and 3 secretaries. This is 2 attorneys less than the beginning of FY10.

3. Budget. Below is budget information for the Criminal Appeals Division:

	FY2007	FY2008	FY2009	FY2010	FY2011
Total Budget					

	1,954,718	2,174,804	2,258,615	2,085,580	2,234,075
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4. Caseload. Below is caseload information for the Criminal Appeals Division:

**Criminal Appeals Division – Notices Of Appeal Filed with the
Attorney General’s Office in All 99 Counties**

	2005	2006	2007	2008	2009	TOTAL 2005-2009
Total of All Counties	809	759	761	761	747	3837

**Criminal Appeals Division – Notices of Appeal Filed with the
Attorney General’s Office in Iowa’s Five Largest Counties**

2005-2009

	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
Black Hawk	106	109	103	78	99
Johnson	31	26	31	27	29
Linn	49	39	46	37	37
Polk	206	194	199	183	188
Scott	70	89	89	103	87
TOTAL	462	457	468	428	440